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Attorneys for Defendants Joe Dobie, Philip Earley, Gary Loredo and Brad Smith

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

MARKEE CARTER,

Plaintiff,

ORDER RE SETTLEMENT AND

ORDER RE SETTLEMENT AND

Defendants.

Defendants.

AND RELATED ACTIONS:

- Spells v. Smith, et al., No. 13-4102-EMC
- Hirscher v. Smith, et al., No 14-0340-EMC
- Beyett v. Smith, et al., No. 14-3153-EMC

To avoid further litigation, and with the aim of fully and finally resolving this litigation, the parties respectfully request that the Court enter the order set forth below.

To explain, the four plaintiffs (all San Quentin inmates) brought these lawsuits against five California Prison Industry Authority (CALPIA) employees. The parties reached a settlement agreement during a November 18, 2015 settlement conference with Magistrate Judge Spero. The parties subsequently attempted – unsuccessfully – to embody the November 18 oral agreement's terms, with some revisions, in a written agreement. On March 11, Plaintiffs filed a motion to enforce the November 18 agreement, which motion is set for hearing on April 21. Defendants and non-party CALPIA agree with Plaintiffs that, at this point, the November 18 agreement should be

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1	deemed binding. However, in the absence of a settlement agreement signed by all Plaintiffs,	
2	CALPIA requires a document signed by the Court reflecting payment terms to make payments.	
3	Through counsel, the parties and CALPIA thus stipulate to the order set forth below.	
4	SO STIPULATED:	
5	Dated: March 16, 2016	SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
6		
7		/s/ Dylan I. Ballard Dylan I. Ballard
8		Attorneys for Plaintiffs
9		Markee D. Carter, Evert Spells, Norman Hirscher, and Lynn Charles Beyett
10		
11	Dated: March 16, 2016	LAW OFFICES OF NANCY E. HUDGINS
12	Batea. Water 10, 2010	2
13		11/ Matthew M. Griff
14		Matthew M. Grigg
15		Attorneys for Defendants Joe Dobie, Philip Earley,
16		Gary Loredo, and Brad Smith
17 18		
19	Dated: March 16, 2016	/s/ Kenneth R. Williams
20		Kenneth R. Williams Attorney For Defendant Jeremiah Young
21		
22		
23	Dated: March 16, 2016	1/1/ Jeff Sly
24		Jeff Sly General Counsel
25		California Prison Industry Authority
26		
27	II .	
28	*The filer of this stipulation hereby attests that the other signatories have consented to its filing.	
	Carter v. Smith, et al. Stip. Re Settlement & Dismissal	Case No. 3:13-cv-04373 Carter/p/StipReSctt 16c14

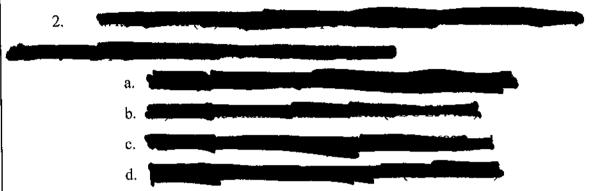
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[PROPOSED] ORDER

Pursuant to the parties' stipulation, and good cause appearing therefor, the Court hereby orders:

1. All parties shall fulfill their obligations under the November 18, 2015 settlement agreement without the need for a written version of the agreement.



- 3. Consistent with the Court's prior order (Dkt. No. 55), Sheppard, Mullin, Richter & Hampton LLP's limited scope pro bono representation of Plaintiffs has concluded.
- 4. These four lawsuits are hereby dismissed in their entirety with prejudice, with the parties each to bear their own costs and fees.

IT IS SO ORDERED:

Dated: March ____, 2016

EDWARD M. CHEN United States District Judge